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DEPT. OF TRANSPORTATION

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660 Barnstable Road
Barnstable Municipal Airport
North Ramp
Hyannis, Massachusetts 02601
508-790-3122
508-778-1870 FAX
Reservations (800, 352-0714
(800, 635-8787

November 4, 2002

FAA-00-8486-4

U.S. Department of Transportation
Docket Management System
400 7th Street, SW, Room PL-400
Washington, DC 20591-0001

Subject: Extension of Exemption No. 7494 / Regulatory Docket No. FAA-2000-8486
for 14 CFR 135.413(c)(2).

Pursuant to 14 CFR 11.61(b), Hyannis Air Service, Inc. d.b.a. Cape Air/Nantucket Airlines, (Certificate# HYIA145B) submits this petition for extension of exemption 7494 from the Provisions of 14 CFR 135.143(c)(2) Mode S Transponder. Hyannis Air Service, Inc. requests this extension on all aircraft listed in our Operation Specifications D085 Aircraft Listing **as** amended.

The conditions and reasons regarding public interest and public safety, presented in the original petition upon which the exemption was granted, remain unchanged.

If you have any questions or additional information, please contact me at 508-790-3122.

Sincerely,

A handwritten signature in black ink, appearing to read "J. S. Goddard".

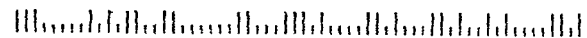
James S. Goddard
Vice President/
Director of Maintenance

Date: 10/01/02
Exemption No. 7492 for 14 CFR 135. 43(C)(2)
will expire on 04/30/2003. If appropriate, please submit
your request to extend this exemption within 30 days of
the date of this notice. Otherwise, the FAA may not
be able to process your request for extension before
the expiration date. Please submit your request to:

U.S. Department of Transportation
Docket Management System
400 7th Street, SW, Room PL-400
Washington, DC 20591-0001

Additionally you may submit your request electronically
through the Internet using the Docket Management System
web site at this Internet address: <http://dms.dot.gov/>.
Also, there is a toll free number on the web site if you
require assistance. Any request for extension must meet
the requirements of 14 CFR part 11. If you have already
requested an extension for this exemption or no longer
need this exemption, please ignore this notice.

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DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
P.O. Box 25082
OKLAHOMA CITY, OKLAHOMA 73125

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To:

MR. JAMES S. GODDARD, VP/DIR MAINTENANCE
CAPE AIR/NANTUCKET AIRLINES
660 BARNSTABLE ROAD
HYANNIS, MASSACHUSETTS

02601-0000



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, DC 20591

APR 10 2007

Exemption No. 7492
Regulatory Docket No. FAA-2000-8436

Mr. James S. Goddard
V.P./Director of Maintenance
Cape Air/Nantucket Airlines
660 Barnstable Road
Hyannis, MA 02601

Dear Mr. Goddard:

By letter dated December 5, 2000, you petitioned the Federal Aviation Administration (FAA) on behalf of Hyannis Air Service, Inc. d.b.a. Cape Air/Nantucket Airlines (HAS) for an exemption from § 135.143(c)(2) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to permit HAS to operate certain aircraft under part 135 without a TSO-C112 (Mode S) transponder installed in the aircraft.

The FAA issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 6120 (copy enclosed), the FAA found that the ground sensors necessary for Mode S transponders, as envisioned by the FAA, have not become operational. The FAA noted that without functioning ground sensors, a Mode S transponder offers no reduction in air traffic control separation criteria or increase in traffic flow over that provided by a Mode C transponder. The FAA determined that no safety advantage is gained by requiring Mode S transponders to be used in aircraft operating under part 135 without the necessary ground sensors. In addition, it would not be in the public interest to compel persons such as the petitioner, who are uniquely burdened by the rule, to purchase and install Mode S transponders.

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the enclosed grant of exemption. In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator,

AFS-01-142-E

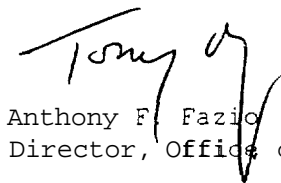
Hyannis Air Service, Inc. dba Cape Air/Nantucket Airlines, is granted an exemption from 14 CFR § 135.143(c)(2) to the extent necessary to operate certain aircraft, subject to the following conditions and limitations:

1. Any aircraft listed on HAS's part 135 operations specifications at the date of issuance of this exemption may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder.
2. Any other aircraft for which installation of a transponder is needed may be operated when equipped with any TSO-C74b transponder or TSO-C74c transponder, provided notice is given to HAS's principal operations inspector.

This exemption terminates on **April 30, 2003**, unless sooner superseded or rescinded.

In an effort to allow the public to participate in tracking the FAA's rulemaking activities, we have transitioned to the Department of Transportation's Internet-accessible Docket Management System (DMS), located at <http://dms.dot.gov>. This new system enables interested persons to submit, view, and download requests to the DMS in accordance with 14 CFR § 11.63. Future requests should be submitted through this system.

Sincerely,



Anthony F. Fazio
Director, Office of Rulemaking

Enclosure



660 Barnstable Rd
Barnstable Municipal Airport
Hyannis, MA 02601
508-790-3122 ext. 541
508-775-8664 FAX
Email:
JGODDARD@FLYCAPEAIR.COM

December 5, 2000

U.S. Department of Transportation
Docket Management System
Rules Docket
www.faa.gov/avr/arm/exempt.htm
email: webmasterARM@faa.gov

Dear Administrator:

Pursuant to 14 CFR 11.61(b), Hyannis Air Service, Inc. d.b.a. Cape Air/Nantucket Airlines, (Certificate # HYIA145B) submits this petition for exemption from the Provisions of 14 CFR 135.143(C)(2) Mode S Transponder. Hyannis Air Service, Inc. requests this exemption on all aircraft listed in our Operation Specifications D085 Aircraft Listing as amended.

Our FAA Principal Avionics Inspector, (Mr. Dave O'Donnell, FSDO-01, 781-274-7130, email: david.o'donnell@faa.gov) has informed this company that the ground sensors necessary for Mode S transponders, as envisioned by the FAA, have not become operational. It is noted that that without **functioning** ground sensors, a Mode S transponder offers no reduction in **air** traffic control separation criteria or increase in traffic **flow** over that provided by a Mode C transponder currently used in all aircraft operated by Hyannis Air Service, Inc.

Hyannis Air **Service**, Inc., along **with** our FAA FSDO-01, believe that no safety advantage is **gained** by requiring Mode S transponders to be used in our aircraft operating under **FAR part** 135 without the necessary ground sensors. In addition, it would not be in the public interest to compel persons such as this petitioner, who are uniquely burdened by this rule, to purchase and install Mode S transponders. The installation of Mode S transponders would **create** undue economic hardship without a commensurate improved level of safety.

In summary, Hyannis Air Service, **Inc.** **petition** the Federal Aviation Administration (**FAA**) for **an** exemption from the requirements of 14 CFR 135.143(C)(2) to the extent necessary to permit **our fleet** of aircraft **as** listed in our Operation Specifications D085, as amended, to operate **under** the **provisions** of **Part** 135 without TSO-C112 (Mode S)

transponders installed in our aircraft for a 24-month period with continuing extensions until the FAA's Mode S ground facilities are substantially in place nationwide.

We would appreciate ~~an~~ expeditious response if possible. ~~Thank~~ you for your support. I may be reached at (508) **790-3 122 ext.541**, fax (508) 775-8664, or email: JGODDARD@FLYCAPEAIR.COM

Sincerely,

James S. Goddard
V.P/Director of Maintenance
Cape Air/Nantucket Airlines

Cc: ~~Dan~~ Wolf, President, Cape Air/Nantucket Airlines
David O'Donnell, PAI, Federal Aviation Administration, FSDO-01
Steve Grota, PMI, Federal Aviation Administration, FSDO-01